

**CITY OF EUREKA  
CITY COUNCIL/  
REDEVELOPMENT AGENCY  
AGENDA**

Marian Brady 1<sup>st</sup> Ward  
Linda Atkins 2<sup>nd</sup> Ward  
Mike Newman 3<sup>rd</sup> Ward  
Melinda Ciarabellini 4<sup>th</sup> Ward  
Lance Madsen 5<sup>th</sup> Ward



Frank Jäger, Mayor

**REGULAR MEETING  
TUESDAY, JANUARY 18, 2011  
CLOSED SESSION 5:00 P.M.  
REGULAR SESSION 6:00 P.M.  
COUNCIL CHAMBER  
531 K STREET  
EUREKA, CA 95501**

David Tyson, City Manager  
Pam Powell, City Clerk  
William Bragg, Interim City Attorney

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**CLOSED SESSION**

*If closed session items cannot be completed by 5:55 P.M., they will be continued at the conclusion of the regular agenda, provided there is time. If time does not allow then those closed session items will be continued to the next regular meeting.*

**A. PUBLIC COMMENT PERIOD**

(Limited to 3 minutes each speaker on closed session agenda items only)

- B. Conference with legal counsel – existing litigation  
City v. Floyd Squires (Humboldt Co. Superior Court No. CV090191)  
*Pursuant to California Government Code Section 54956.9(a)*
- C. Conference with legal counsel – existing litigation  
City v. Floyd Squires (Humboldt Co. Superior Court No. CV1000894)  
*Pursuant to California Government Code Section 54956.9(a)*
- D. Conference with legal counsel – Anticipated litigation (3 Cases)  
*Pursuant to California Government Code Section 54956.9(b)*
- E. Public Employment – City Manager  
*Pursuant to California Government Code Section 54957*
- F. Conference with labor negotiators  
Agency designated representatives: Gary Bird for City of Eureka  
Employee organization Local (EFOL)  
*Pursuant to California Government Code Section 54957.6*

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**REGULAR SESSION – 6:00 P.M.**

**ROLL CALL**

**INVOCATION**

Nancy Only – Unity Church of the Redwoods

**PLEDGE OF ALLEGIANCE**

**REPORT OUT OF CLOSED SESSION**

**MAYOR'S ANNOUNCEMENTS**

Presentation of Proclamations: "Season for Non-Violence"

**COUNCIL REPORTS / CITY-RELATED TRAVEL REPORTS**

Councilmember Brady: E-Mail protocol

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**PUBLIC HEARINGS**

*Public Hearings are scheduled for a time certain of 6:00 P.M. unless noticed otherwise, or as soon thereafter as possible.*

1. Public Hearing – Shamus T Bones Restaurant Coastal Development Permit, 1809 Truesdale, APN 007-081-035  
Recommendation:
  1. Hold a public hearing.
  2. Adopt the Findings of Fact listed in Exhibit A and approve the Coastal Development Permit subject to the Conditions of Development listed in Exhibit B.  
(Community Development)
2. Public Hearing – Schneider Cargo Storage Area Coastal Development Permit  
Recommendation:
  1. Hold a public hearing;
  2. Adopt the Findings of Fact as described in Exhibit "A; and
  3. Approve the Coastal Development Permit subject to the Conditions listed Exhibit "B".  
(Community Development)

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**PUBLIC COMMENT PERIOD**

*This is the time for members of the public who wish to be heard on matters that do not appear on the Agenda. You may also request that a matter appearing on the Consent Calendar be pulled and discussed separately. Pursuant to City Council Minute Order dated May 4, 1989, City Council policy is to limit each speaker to three (3) minutes. Such time allotment or portion thereof shall not be transferred to other speakers. Pursuant to City Council Minute Order dated June 6, 2000, the public will be allowed to speak concurrently with the calling of an agenda item following the staff presentation of that item.*

*Pursuant to the Brown Act, the City Council may not take action on an item that does not appear on the Agenda.*

3. Is there any person in the audience who wishes to address the Council at this time?

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**CONSENT CALENDAR**

**Notice to the Public:** *All matters listed under this category are considered to be routine by the City Council and will be enacted by one motion. Unless a specific request is made by a Councilmember or the public, the Consent Calendar will not be read. There will be no separate discussion of these items. However, if discussion is required, that item will be removed from the Consent Calendar and considered separately.*

4. Council meeting minutes.  
Recommendation: Approve the regular Council/Redevelopment Agency Board meeting minutes of November 16, 2010 and special Council/Redevelopment Agency Board meeting minutes of November 24, 2010 as submitted.  
(City Clerk)
5. Purchase of (5) M6 Mobile Data Computer Systems  
Recommendation: 1. Accept the quote from Hub-Data 911 in the amount of \$29,566; and  
2. Approve the appropriation of Drug Asset Funds to purchase (5) M6 Mobile Data Computer Systems.  
(Police Chief)
6. Destruction of Records  
Recommendation: Adopt a Resolution of the City Council for the Destruction of Certain Records pursuant to City policy.  
(Police Chief)
7. Request for Exception to the Hiring Freeze  
Recommendation: 1. Approve an exception to the hiring freeze for an Accountant I/II temporary over hire in the Finance Department.; and  
2. Appropriate \$21,000 from existing Redevelopment reserves to fill the temporary position.  
(Personnel Director)
8. Request for Exception to the Hiring Freeze for an Accountant I/II position in the Finance Department, a position included in the FY 10/11 budget.  
Recommendation: Approve an exception to the hiring freeze for an Accountant I/II position in the Finance Department, a position included in the FY 10/11 budget.  
(Personnel Director)

9. Amendment to Job Specification  
Recommendation: Amend job specification of Utility Maintenance Worker class.  
(Personnel Director)
10. **Redevelopment Agency** – Exclusive Right to Negotiate (ERTN) Agreement with Marty & Michele L’Herault dba Old Town Carriage Company  
Recommendation: 1. Adopt a Joint Resolution of the City Council and Eureka Redevelopment Agency approving an Exclusive Right to Negotiate Agreement (ERTN) with Marty and Michele L’Herault dba Old Town Carriage Company, for the purchase and development of Agency property located and 1<sup>st</sup> and “C” Streets; and  
2. Authorize execution of a 180-day ERTN between the Eureka Redevelopment Agency and Marty and Michele L’Herault dba Old Town Carriage Company.  
(Redevelopment Director)
11. Increase Enterprise Zone Hiring Credit Voucher Application Fees  
Recommendation: Adopt a Resolution of the City Council authorizing an increase \$5.00 per Enterprise Zone voucher fee, which will be remitted to the State of California.  
(Redevelopment Director)
12. Temporary Firefighter Position Over hire  
Recommendation: Approve the over hire of one temporary firefighter position in the Fire Department.  
(Personnel Director)
13. Mayor’s appointments to boards, commissions and committees.  
Recommendation: Approve the Mayor’s appointments and re-appointments to boards, commissions, and committees with the following term expirations dates:
- |                             |                                   |            |
|-----------------------------|-----------------------------------|------------|
| Art & Culture Commission:   | Appoint Shelley W. Holstein       | 01/01/2014 |
| Art & Culture Commission:   | Re-appt Virginia Niekrasz-Laurent | 01/01/2015 |
| Eureka Energy Committee     | Re-appt Eli Asaria                | 01/01/2015 |
| Eureka Energy Committee     | Re-appt Michael Regan             | 01/01/2015 |
| Housing Advisory Board:     | Re-appt Laurie Sanchez            | 01/01/2015 |
| Housing Advisory Board:     | Appoint John Chiv                 | 01/01/2014 |
| Open Space & Parks          | Appoint Amy Washburn              | 01/01/2015 |
| Open Space & Parks          | Appoint Ray Miller                | 01/01/2015 |
| Parking Place               | Re-appt Robert Jones              | 01/01/2015 |
| Parking Place               | Re-appt Rahi Maraie               | 01/01/2015 |
| Planning Commission         | Appoint Lee R. Ulansey            | 01/01/2014 |
| Transportation Safety Com.: | Re-appt Carole Beaton             | 01/01/2013 |

Transportation Safety Com.:	Re-appt Kimberley Bergel	01/01/2013
Transportation Safety Com.:	Re-appt Ron Kuhnel (Mayor)	01/01/2013

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## **ORDINANCES/RESOLUTIONS**

### **14. 2010 California Fire Code**

Recommendation: Waive reading, read by title only, and adopt Bill No. 833-C.S., an ordinance amending Title 9, Chapter 92, Adoption of the California Fire and Life Safety Code, repealing Section 92.01 through 92.06, and replacing with new section 92.01 through 92.06, adopting by reference the 2010 California Fire Code and related model codes and appendices and amendments.  
(Interim Fire Chief)

### **15. Water Rates**

Recommendation: 1. Adopt a Resolution of the City Council establishing water fees within the City of Eureka for FY 2010-11 through FY 2014-15; or  
2. Direct staff to bring back additional option for Council consideration.  
(Public Works Director)

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## **REPORTS/ACTION ITEMS**

### **16. Sequoia Park Zoo Facility Master Plan**

Recommendation: Receive Report  
(Public Works Director)

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## **CITY MANAGER/EXECUTIVE DIRECTOR'S REPORTS**

Martin Slough Interceptor Project

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## **ADJOURNMENT**

*If open session items cannot be completed by 9:30 P.M., the meeting may be adjourned to the next regular meeting or Council may vote to extend the meeting.*

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## NOTICES

- The City Council agenda and supporting documents are available for public review on the Friday afternoon prior to the Tuesday meeting at the City Clerk's Office, the Eureka Humboldt County Library and on-line at [www.ci.eureka.ca.gov](http://www.ci.eureka.ca.gov).
- The numerical order of items on this agenda is for convenience of reference. Items may be taken out of order upon the request and consensus of the Mayor and Council.
- Any writing that is a public record not exempt from public disclosure and relating to an agenda item for open session of the City Council is available for public inspection at the Office of the City Clerk, 531 K Street, Room 207, Eureka, CA 95501.
- The meeting rooms are ADA accessible. Accommodations and access to City meetings for people with special needs must be requested of the City Clerk at 441-4175 72 hours in advance of the meeting. This agenda and other materials are available in alternate formats upon request.
- All persons in attendance at public meetings are requested to observe the following rules of civil debate:
  1. We may disagree, but we will be respectful of one another.
  2. All comments will be directed to the issue at hand.
  3. Personal attacks are unacceptable.

Applauding or other displays of approval/disapproval are discouraged.

- Regular City Council/Redevelopment Agency meetings are broadcast live by Humboldt Access on Cable Channel 10. Council meetings can also be viewed on line at [www.accesshumboldt.net](http://www.accesshumboldt.net) – Search archives “Eureka City Council Meetings”.
- To minimize distractions, please be sure all personal communication devices are turned off or on silent mode.

Questions? Please e-mail [ppowell@ci.eureka.ca.gov](mailto:ppowell@ci.eureka.ca.gov) or contact the City Clerk's office at (707) 441-4175.